CERTIFICATE

To the Clerk of NEMAHA, State of Kansas We, the undersigned, officers of WETMORE FIRE DIST # 3

certify that: (1) the hearing mentioned in the attached publication was held;
(2) after the Budget Hearing this budget was duly approved and adopted
maximum expenditures for the various funds for the year 2018; and (3) the
Amount(s) of 2017 Ad Valorem Tax are within statutory limitations for the 2018 Budget.

| 1 | | | | 2018 Adopted Budge | et |
|--------------------------|-----------------------|---------------|--------------------|--------------------|-------------------------|
| | | | | | County |
| | | Page | Budget Authority | Amount of 2017 | Clerk's |
| Table of Contents: | | No. | for Expenditures | Ad Valorem Tax | Use Only |
| Computation to Determi | ne Limit for 2018 | 2 | | | |
| Allocation MVT, RVT,1 | | 3 | | | |
| Schedule of Transfers | | 4 | | | |
| Statement of Indebt. & L | ease/Purchase | 5 | | | |
| Fund | K.S.A. | | | | |
| General | 19-3610 | 6 | 38,606 | 22,266 | 5 AN |
| Debt Service | 10-113 | N#2 | 20,000 | 22,200 | 31017 |
| | 10.110 | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| Non-Budgeted Funds | | 7 | | | |
| Totals | | XXXXXXXXX | 38,606 | 22,266 | 5.014 |
| Budget Summary | | 8 | | | County Clerk's Use Only |
| Neighborhood Revitaliza | ntion Rebate | | | | 4440.789 |
| | | | | | Nov. 1, 2017 Total |
| Resolution required? No | tice of the vote to | adopt require | d to be published? | No | Assessed Valuation |
| Assisted by: | | | | | |
| | | | | | |
| Address: | | | | | |
| Address; | | 100 | 11 30 | 1 | |
| | ; | Le lin ? | 1/wy | Pres. | |
| n " | / | 9/1 | 1/6 | 0 511 | |
| Email: | | Houle | offe | Sultion |) |
| | | | 11/1 | 1 | |
| | | Down | Werene | bul | |
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| CLE | | | | | |
| Ayest: OLDT 5 | , 2017 | | | | |
| / !! - | 1 11 . | | | | |
| In Fair | _, 2017 chullejans | | | | |
| July July Clark | Alluge Junes | | Con | erning Body | |
| 1 Young Clerk | | | Gove | ming Body | |

WETMORE FIRE DIST # 3 NEMAHA

Computation to Determine Limit for 2018

| | | Amo | ount of Levy |
|----|--------------------------------------|--------------|--------------|
| 1. | Total tax levy amount in 2017 budget | + \$ | 21,257 |
| | Debt service levy in 2017 budget | - \$ | 0 |
| | Tax levy excluding debt service | \$ | 21,257 |
| ٠. | Tun 1019 Undinaming door officer | | |

2017 Valuation Information for Valuation Adjustments

| 4. | New improvements for 2017: | 19,137 | | |
|-----|---|-----------------------------|------|--------|
| 5. | Increase in personal property for 2017: 5a. Personal property 2017 + 229,288 5b. Personal property 2016 - 130,370 | 98,918 | | |
| 6. | 5c. Increase in personal property (5a minus 5b) + Valuation of property that has changed in use during 2017: | (Use Only if > 0) 29,619 | | |
| 7. | Total valuation adjustment (sum of 4, 5c, 6) | 147,674 | | |
| 8. | Total estimated valuation July, 1,2017 4,428,397 | | | |
| 9. | Total valuation less valuation adjustment (8 minus 7) | 4,280,723 | | |
| 10. | Factor for increase (7 divided by 9) | 0.03450 | | |
| 11. | Amount of increase (10 times 3) | - | + \$ | 733 |
| 12. | 2018 budget tax levy, excluding debt service, prior to CPI adjustment (3 plu | s 11) | \$ | 21,990 |
| 13. | Debt service levy in this 2018 budget | | | 0 |
| 14. | 2018 budget tax levy, including debt service, prior to CPI adjustment (12 plus) | us 13) | | 21,990 |
| 15. | Consumer Price Index for all urban consumers for calendar year 2016 | | | 1.30% |
| 16. | Consumer Price Index adjustment (3 times 15) | | \$ | 276 |
| 17. | Maximum levy for budget year 2018, including debt service, not requiring 'n | notice of vote publicati | | 22.266 |
| | or adoption of a resolution prior to adoption of the budget (14 plus 16) | | \$ | 22,266 |

If the 2018 adopted budget includes a total property tax levy exceeding the dollar amount in line 17 you must, prior to adoption of such budget, adopt a resolution authorizing such levy and, subsequent to adoption of such budget, publish notice of vote by the governing body to adopt such budget in the official county newspaper and attach a copy of the published notice to this budget.

In no event will published notice of the vote be required if the total budget year tax levy is \$1,000 or less.

WETMORE FIRE DIST # 3 NEMAHA

Allocation of MV, RV, 16/20M, Commercial Vehicle, and Watercraft Tax Estimates

| 2017 | Tax Levy Amount in | | Allocat | Allocation for Year 2018 | 91(| |
|--------------------------------------|--|---------------|----------------|--------------------------|----------|------------|
| Budgeted Funds | 2017 Budget | MVT | RVT 1 | 16/20M Veh | Comm Veh | Watercraft |
| General | 21.257 | 2,831 | 43 | 305 | 0 | 10 |
| Debt Service | 0 | 0 | 0 | 0 | 0 | 0 |
| | 0 | 0 | 0 | 0 | 0 | 0 |
| | 0 | 0 | 0 | 0 | 0 | 0 |
| Total | 21,257 | 2.831 | 43 | 305 | 0 | 10 |
| County Treas Motor Vehicle Estimate | ehicle Estimate | | 2.831 | | | |
| County Treas Recreati | County Treas Recreational Vehicle Estimate | | 43 | | | |
| County Treas 16/20M Vehicle Estimate | Vehicle Estimate | | 305 | | | |
| County Treas Commen | County Treas Commercial Vehicle Tax Estimate | စ | 0 | | | |
| County Treas Watercraft Tax Estimate | aft Tax Estimate | ļ | 10 | | | |
| | | | | | | |
| MVT Factor | or 0.13318 | | | | | |
| | RVT Factor | 0.00202 | | | | |
| | | 16/20M Factor | 0.01435 | | | |
| | | S | Comm Veh Facto | 0.00000 | | |
| | | | A | Watercraft Factor | 0.00047 | |

2018

WETMORE FIRE DIST # 3 NEMAHA

Schedule of Transfers

| Expenditure Fund Transferred From: | Receipt Fund Transferred To: | Actual Amount for 2016 | Current Amount for 2017 | Proposed Amount for 2018 | Transfers Authorized by Statute |
|--|------------------------------------|------------------------|-------------------------------|--------------------------------|---------------------------------|
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| | | | | | |
| | Totals · | 0 | 0 | 0 | |
| | Adjustments* | | | | |
| | Adjusted Totals | 0 | 0 | 0 | |

^{*}Note: Adjustments are required only if the transfer is being made in 2017 and/or 2018 from a non-budgeted fund.

WETMORE FIRE DIST # 3 NEMAHA

STATEMENT OF INDEBTEDNESS

| 2018 pal Interest Principa 0 0 0 0 0 0 0 0 0 0 0 0 | Type | Date | Interest | | Amount | | | Amo | Amount Due | Атоп | int Due |
|---|-------------------|-------|----------|--------|-------------|----------|-----------|----------|------------|----------|---------|
| Debt Issue % Issued Jan 1.2017 Interest Principal Interest Inter | of | Jo | Rate | Amount | Outstanding | Dat | e Due | 20 | 17 | 20 | 18 |
| 1 Obligation: 1 Obligation:< | Debt | Issue | % | Issued | Jan 1,2017 | Interest | Principal | Interest | Principal | Interest | |
| 3.O. 0 | neral Obligation: | | | | | | | | | | |
| 3.O. 0 | | | | | | | | | | | |
| 3.O. 0 0 0 0 0 1ce Bonds: 0 0 0 0 0 0 | | | | | | | | | | | |
| te Bonds: te Bonds: <t< td=""><td>tal G.O.</td><td></td><td></td><td></td><td>0</td><td></td><td></td><td>0</td><td>0</td><td>0</td><td>0</td></t<> | tal G.O. | | | | 0 | | | 0 | 0 | 0 | 0 |
| cevenue 0 0 0 0 0 0 ther 0 0 0 0 0 0 ther 0 0 0 0 0 0 | venue Bonds: | | | | | | | | | | |
| cevenue 0 0 0 0 0 0 ther 0 0 0 0 0 0 0 | | | | | | | | | | | |
| cevenue 0 0 0 0 0 0 ther 0 0 0 0 0 0 0 | | | | | | | | | | | |
| ther 0 | al Revenue | | | | 0 | | | 0 | 0 | 0 | 0 |
| Other Other 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 | ier: | | | | | | | | | | |
| Other 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 | | | | | | | | | | | |
| Other 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 | | | | | | | | | | | |
| 0 0 0 | tal Other | | | | 0 | | | 0 | 0 | 0 | 0 |
| | tal | | | | 0 | | | 0 | 0 | G | 0 |

STATEMENT OF CONDITIONAL LEASE-PURCHASE AND CERTIFICATE OF PARTICIPATION*

| | | _ | | · | т | | , | Ţ | | | | _ | _ | |
|------------|---|--|---|--|--|---|---|--|---|---|---|---|---|--|
| Due | 2018 | | | | | | | | | | | | | 0 |
| Due | 2017 | | | | | | | | | | | | | 0 |
| Balance On | Jan 1,2017 | | | | | | | | | | | | | 0 |
| Financed | (Beginning Principal) | | | | | | | | | | | | | 0 |
| Rate | % | | | | | | | | | | | | | Total |
| Contract | (Months) | | | | | | | | | | | | | |
| Contract | Date | | | | | | | | | | | | | |
| Items | Purchased | | | | | | | | | | | | | |
| | Contract Rate Financed Balance On Due | Contract Rate Financed Balance On Due (Months) % (Beginning Principal) Jan 1.2017 2017 | Contract Contract Rate Date (Months) % (Beg | Contract Contract Rate Financed Balance On Due Date (Months) % (Beginning Principal) Jan 1.2017 2017 | Contract Contract Rate Financed Balance On Due Date (Months) % (Beginning Principal) Jan 1.2017 2017 | Contract Rate Financed Balance On Due Date (Months) % (Beginning Principal) Jan 1.2017 2017 | Contract Rate Financed Balance On Due Date (Months) % (Beginning Principal) Jan 1.2017 2017 | Contract Contract Rate Financed Balance On Due Date (Months) % (Beginning Principal) Jan 1.2017 2017 | Contract Rate Financed Balance On Due Date (Months) % (Beginning Principal) Jan 1.2017 2017 | Contract Rate Financed Balance On Due Date (Months) % (Beginning Principal) Jan 1.2017 2017 | Contract Rate Financed Balance On Due Date (Months) % (Beginning Principal) Jan 1.2017 2017 | Contract Rate Financed Balance On Due Date (Months) % (Beginning Principal) Jan 1.2017 2017 | Contract Rate Financed Balance On Due Date (Months) % (Beginning Principal) Jan 1.2017 2017 | Contract Contract Rate Financed Balance On Due Date (Months) % (Beginning Principal) Jan 1.2017 2017 Contract Contract Rate Financed Balance On Due Date (Months) % (Beginning Principal) Jan 1.2017 2017 Contract Contract Rate Financed Balance On Due Contract Cont |

***If you are merely leasing/renting with no intent to purchase, do not list--such transactions are not lease-purchases.

| Adopted Budget General | Prior Year Actual for 2016 | Current Year | Proposed Budget |
|---|-------------------------------|--------------------|-----------------|
| Unencumbered Cash Balance Jan 1 | | Estimate for 2017 | Year for 2018 |
| Receipts: | 4,388 | 12,236 | 13,1: |
| Ad Valorem Tax | 20.622 | 21.000 | |
| Delinquent Tax | 20,537 | 21,257 | XXXXXXXXXXXXXX |
| | 29 | | |
| Motor Vehicle Tax | 2,896 | 2,661 | 2,83 |
| Recreational Vehicle Tax | 46 | . 71 | |
| 16/20M Vehicle Tax | | 277 | 30 |
| Commercial Vehicle Tax | | | |
| Watercraft Tax | | 8 | 1 |
| LAVTR | | | |
| In Lieu of Taxes | | | |
| Redemption | 456 | | |
| Powhattan Fire Protection | 2,052 | | |
| Reimbursement | 854 | | |
| 50/50 March | 2,365 | | |
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| Interest on Idle Funds | 14 | | |
| Neighborhood Revitalization Rebate | | | |
| Miscellaneous | | | |
| Does misc. exceed 10% of Total Receipts | | | |
| Total Receipts | 20.240 | 24.284 | 2.10 |
| Resources Available: | 29,249 | 24,274 | 3,18 |
| | 33,637 | 36,510 | 16,34 |
| Expenditures: | | | |
| Fuel | 299 | 696 | 2,000 |
| Repair | 1,133 | 3,000 | 4,000 |
| Truck Payment | 11,311 | 10,000 | 12,000 |
| Protective Gear | 1,355 | 3,000 | 5,000 |
| Insurance | 4,114 | 4,200 | 7,000 |
| Publication/Operation | 38 | 759 | 1,500 |
| Meals | 561 | 600 | 1,600 |
| Utilities | 2,010 | - 000 | 3,000 |
| Supplies | 213 | 1,104 | |
| Training/Dues | | 1,104 | 2,000 |
| Training () des | 367 | | 506 |
| | | | |
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| ash Forward (2018 column) | | | |
| Aiscellaneous | | | |
| | | | |
| Does misc, exceed 10% Total Expenditure | | | |
| otal Expenditures | 21,401 | 23,359 | 38,606 |
| Jnencumbered Cash Balance Dec 31 | 12,236 | 13,151 x | XXXXXXXXXXXXXXX |
| 016/2017/2018 Budget Authority Amount | 26,829 | 25,359 | 38,606 |
| | Non-Ap | propriated Balance | |
| | | Non-Appr Balance | 38,606 |
| | | Tax Required | 22,266 |
| Dali | nquent Comp Rate: | 0.0% | 22,200 |
| Dell | | 7 Ad Valorem Tax | |
| | Amount of 201 | And Autorem Tax | 22,266 |

NON-BUDGETED FUNDS

WETMORE FIRE DIST #3

Non-Budgeted Funds

(Only the actual budget year for 2016 is to be shown)

| Cash Balance Jun 1 Cash Balance Dec 31 O Cash Balan | Non-Duageted Fund (1) Find Name: | r undo | (2) E.m.d Money | | | | | | , | | | |
|--|-------------------------------------|--------|----------------------|---|----------------------|---|----------------------|---|----------------------|---|--------|---|
| Care December of the complete of the compl |) I UILU INUITE | | (2) ruin name: | | (5) rund Name: | | (4) rund Name: | | (5) Fund Name: | | | |
| Cash Balance Jan 1 Cash Balance Dec 31 | quipment Fu | pu | | 0 | | 0 | | 0 | | 0 | | |
| 23.364 Cach Balance Jan 1 Cach Balance Jan 2 Cach Balance Dec 31 Cac | nencumbered | | Unencumbered | | Unencumbered | | Unencumbered | | Unencumbered | | Total | |
| Acceptes: Receiptes: Rece | sh Balance Jan 1 | 23,364 | Cash Balance Jan 1 | | 23,364 | , |
| Total Receipts | Receipts: | | Receipts: | | Receipts: | | Receipts: | | Receipts: | | | 7 |
| Total Receipts | lerest | 46 | | | | | | | | | | |
| Total Receipts | | | | | | | | | | | | |
| 10 10 10 10 10 10 10 10 | | | | | | | | | | | | |
| 46 Total Receipts Contact | | | | | | | | | | | | |
| 46 Total Receipts 0 0 23,410 1 Total Expenditures 0 Total Expenditures 0 Total Expenditures 0 Total Expenditures 0 0 23,410 | | | | | | | | | | | | |
| 46 Total Receipts 0 46 25.410 Resources Available: 0 Resources Available: 0 Resources Available: 0 23.410 Expenditures: Expenditures: Expenditures: Expenditures: Expenditures: 1 <td></td> | | | | | | | | | | | | |
| 46 Total Receipts 0 Add 23.410 Resources Available: 0 Resources Available: 0 Resources Available: 0 23.410 Expenditures: Expenditures: Expenditures: Expenditures: Resources Available: 0 23.410 Intell Expenditures: Intell Expenditures: Intell Expenditures: 0 Intell Expenditures: 0 0 0 23.410 Cash Balance Dec 31 0 | | | | | | | | | | | | |
| 46 Total Receipts 0 Total Receipts 0 Total Receipts 0 Total Receipts 0 Ade Additionary 23,410 Resources Available: Expenditures: Expendit | | | | | | | | | | | | |
| 23,410 Resources Available: | al Receipts | 46 | Total Receipts | 0 | Total Receipts | | Total Receipts | 0 | Total Receipts | 0 | 46 | _ |
| Expenditures: Expenditures: Expenditures: Expenditures: Expenditures: 0 Total Expenditures 0 23,410 | sources Available: | 23,410 | Resources Available: | 0 | Resources Available: | | Resources Available: | 0 | Resources Available: | 0 | 23,410 | |
| Total Expenditures Cash Balance Dec 31 | enditures: | | Expenditures: | | Expenditures: | | Expenditures; | | Expenditures: | | | , |
| 1 | | | | | | | | | | | | |
| 0 Total Expenditures 0 0 0 23.410 Cash Balance Dec 31 0 23.410 | | | | | | | | | | | | |
| 0 Total Expenditures 0 0 0 0 0 0 0 0 0 0 0 23,410 | | | | | | | | | | | | |
| 0 Total Expenditures 0 0 0 23.410 Cash Balance Dec 31 0 23.410 | | | | | | | | | | | | |
| 0 Total Expenditures 0 0 23.410 Cash Balance Dec 31 0 Cash Balance Dec 31 0 Cash Balance Dec 31 0 23.410 | | | | | | | | | | | | |
| 0 Total Expenditures 0 Total Expenditures 0 Total Expenditures 0 Total Expenditures 0 0 0 23.410 Cash Balance Dec 31 0 23.410 | | | | | | | | | | | | |
| 0 Total Expenditures 0 Total Expenditures 0 Total Expenditures 0 Total Expenditures 0 0 23.410 Cash Balance Dec 31 0 Cash Balance Dec 31 0 Cash Balance Dec 31 0 Cash Balance Dec 31 | | | | | | | | | | | | |
| 23.410 Cash Balance Dec 31 0 Cash Balance Dec 31 0 Cash Balance Dec 31 0 23.410 23.410 23.410 23.410 23.410 23.410 23.410 | al Expenditures | 0 | Total Expenditures | 0 | Total Expenditures | | Total Expenditures | 0 | Total Expenditures | 0 | 0 | |
| | sh Balance Dec 31 | 23,410 | Cash Balance Dec 31 | 0 | Cash Balance Dec 31 | | Cash Balance Dec 31 | 0 | Cash Balance Dec 31 | 0 | 23,410 | * * |
| | | | | | | | | | J | | 23,410 | * |

** Note: These two block figures should agree.

The governing body of WETMORE FIRE DIST # 3 **NEMAHA**

will meet on August 23, 2017 at 6:30 p.m. at Wetmore Fire Hall for the purpose of hearing and answering objections of taxpayers relating to the proposed use of all funds and the amount of tax to levied. Detailed budget information is available at Dean Osterhaus residence and will be available at this hearing.

BUDGET SUMMARY

Proposed Budget 2018 Expenditures and Amount of 2017 Ad Valorem Tax establish the maximum limits of the 2018 budget. Estimated Tax Rate is subject to change depending on the final assessed valuation.

| | Prior Year Ac | tual 2016 | Current Year Estin | nate for 201' | Proposed I | Budget Year for | 2018 |
|-----------------------|---------------|-----------|--------------------|---------------|---|-----------------|----------|
| | | Actual | | Actual | Budget Authority | Amount of 2017 | Estimate |
| FUND | Expenditures | Tax Rate* | Expenditures | Tax Rate* | for Expenditures | Ad Valorem Tax | |
| General | 21,401 | 5.631 | 23,359 | 5.315 | 38,606 | 22,266 | 5.028 |
| Debt Service | | | | | | | 2.020 |
| | | | | | , | *** | |
| , | *** | | | ", | ` | | |
| | | | | ** | | - | |
| | | | | | | | |
| Non-Budgeted Funds | | | | | *** | | |
| Totals | 21,401 | 5.631 | 23,359 | 5.315 | 38,606 | 22,266 | 5.028 |
| Less: Transfers | 0 | | 0 | | 0.000 | 22,200 | 3.026 |
| Net Expenditures | 21,401 | | 23,359 | | 38,606 | | |
| Total Tax Levied | 20,652 | Ì | 21,257 | ŀ | XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX | | |
| Assessed Valuation | 3,667,622 | Ī | 3,999,988 | ŀ | 4,428,397 | LA. | |
| | | • | | Ĺ | 1,120,051 | | |
| Outstanding Indebtedn | ess, | | | | | | |
| Jan 1, | <u>2015</u> | | 2016 | | 2017 | | |
| G.O. Bonds | 0 | Γ | 0 | Г | 0 | | |
| Revenue Bonds | 0 | | 0 | ŀ | 0 | | |
| Other | 0 | | 0 | } | 0 | | |
| ease Pur. Princ. | 0 | ľ | 0 | - | 0 | | |
| Total | 0 | - | 0 | | 0 | | |
| | | | | | | | |

Page No.

8

Death Notice STATE OF KANSAS County of Nemaha

Matt Diehl, being first duly sworn, deposes and states: That he is of lawful age, that affiant is editor of The Courier-Tribune, a weekly newspaper wholly printed within the City of Seneca and in said County of Nemaha and State of Kansas, and which newspaper is published as aforesaid and is of general circulation in said city and county, and which has been admitted to the mails as second class matter in said county and which has been continuously and uninterruptedly published in said city and county as at least weekly (50) times a year for more than five (5) years prior to the first publication of the Notice-Ordinance-Report, a copy of which is hereto attached made and the consecutive works.

| Affidavit and proof of publication examined, approved and filed the day of, 2017 | JOYCE KENETTE DIEHL My Appointment Expires January 15, 2021 My Commission expires on the 15" day of January, 2021 | Affiant further states that said newspaper has a general paid circulation on a weekly basis in Nemaha County Kansas, and is not a trade, religious or fraternal publication. Affiant further states he has personal knowledge of all the foregoing matters and facts. Printer's Fees \$ 27.50 Subscribed to in my presence and sworn to before me by said Matt Diehl Matt | Beginning with the First insertion of said Notice Ordinance - Report In the issue thereof date Second insertion thereof in the issue thereof date Third insertion thereof in the issue thereof date | of Seneca and in said County of Nemaha and State of Kansas, and which newspaper is published as aforesaid and is of general circulation in said city and county, and which has been admitted to the mails as second class matter in said county and which has been continuously and uninterruptedly published in said city and county as at least weekly (50) times a year for more than five (5) years prior to the first publication of the Notice-Ordinance-Report, a copy of which is hereto attached marked "Exhibit A", and that said Notice-Ordinance-Report was published in said newspaper for consecutive weeks on the following dates, to-wit: |
|--|--|---|---|---|
| Totals T | will need on the 22nd day of August 2077 at 023 p.m. at Weltinzia Fize Statetn median groom for the purpose of hou objections of taposyers raisiting to the proposed use of all funds and the amount of all versions are considered and the statet of all versions are considered and will be evaluable at this hearing. Detailed budget information is available at Dean Octoribuse realdence and will be evaluable at this hearing. BUDGET SUMMAAY? Proposed Budget 2018 Expenditures and August of 2017 Act Valorem Tax establish the maximum limits of 110 2018 budget. Eat Tax Rute is audject to change deposting on the final secensive valuation. Of the 2018 budget. Eat Tax Rute is audject to change deposting on the final secensive valuation. Princy Year Actual Commit Year Actual Commit Year Actual Commit Year Commit Year State of Tax Commit Year State October 2018 Commit Ye | Notice of Budget hauffo The governing body of WETMODE FIRE OFFARTMENT E3 NOTICE FIRE OFFARTMENT E3 | , 2017 2017 2017 | f general circulation in said city and county, and which has published in said city and county as at least weekly (50) ich is hereto attached marked "Exhibit A", and that said |